

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... OCT 12 1977

Returned to applicant for correction.....

NOV 22 1977

Corrected application filed.....

NOV 22 1977

Map filed.....

The applicant..... Occidental Minerals Corporation

601 Fifth St., P.O. Box 1246....., of Hawthorne
Street and No. or P.O. Box No. City or Town

Nevada 89415....., hereby make.... application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) Delaware Corporation - Incorporated

1/31/64 Home Office Address: Irongate Bldg. 4, 777 So. Wadsworth
Blvd., Lakewood, Colorado 80225, 303-988-2200

1. The source of the proposed appropriation is... newly developed ground water well within
Name of stream, lake or other source.
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T.3N., R.35E., Esmeralda Co., Nevada

2. The amount of water applied for is..... 5 (Ave.).....second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet..... approximately 2.....acre-feet

3. The water to be used for... any and all activities associated with mining,
milling and domestic. Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated).....

(b) Stockwater (state number and kinds of animals to be watered).....

(c) Other use (describe fully under "No. 12. Remarks")... mining, milling and sanitary
facilities

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 15,

T.3N., R.35E., MDB&M, from which the NW cor. Sec. 3, T.3N., R.35E.,
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
bears N. 11 - 31 - 50 W, 15.040 feet
it should be stated.

6. Place of use... E $\frac{1}{4}$ Sec. 5 and all of Sec. 4, T.3N., T.35E., MDB&M.
Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about January 1 and end about December 31, of each year.
Day and Month Day and Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) water to be diverted by pipeline to reservoir described in 2(a) for use in any and all activities
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.
associated with mining

9. Estimated cost of works.....\$500,000.00
10. Estimated time required to construct works.....2 years
11. Estimated time required to complete the application to beneficial use.....3 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Annual consumptive use is estimated to be five (5) cfs to be used in any and all activities associated w/ mining. Estimated mining rate is 10,000 ton/day. Processing of ore will be done with milling and/or leaching techniques. Water will also be used for domestic and sanitary purposes by mine personnel.

Applicant Occidental Minerals Corporation
 send copies to Occidental c/o
 Lakewood, Colorado address By s/ Alan Means
 Alan Means, Agent
 Compared lp/ga bl/bc 130 Vine St.
 Reno, Nevada 89503

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to other ground water development in the area. A measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water granted herein at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.0 cubic feet per second, but not to exceed 589.75 million gallons annually.

Actual construction work shall begin on or before.....December 21, 1978

Proof of commencement of work shall be filed before.....January 21, 1979

Work must be prosecuted with reasonable diligence and be completed on or before.....December 21, 1979

Proof of completion of work shall be filed before.....January 21, 1980

Application of water to beneficial use shall be made on or before.....December 21, 1981

Proof of the application of water to beneficial use shall be filed on or before.....January 21, 1982

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed JAN 26 1979
 Completion of work filed JAN 26 1979
 Proof of beneficial use filed MAY 30 2000
 Cultural map filed
 Certificate No. 15755 Issued MAY 02 2001
 Recorded.....Bk.....Page.....
 County Recorder

IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 21st day of JUNE
 A.D. 1978

State Engineer

004 APR 12 1994
 CANCELLED
 BECAUSE OF FAILURE
 OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
 R. D. Westergard
 STATE ENGINEER